Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	EB Docket No. 04-296
Review of the Emergency Alert System	)	

COMMENTS OF AT&T INC.

AT&T Inc. and its affiliates ("AT&T")[1] submit these Comments in response to the Commission's November 10, 2005, Further Notice of Proposed Rulemaking in this proceeding.[2] AT&T appreciates the public safety mandate of the Commission and the importance of the Emergency Alert System ("EAS") in the fulfillment of that mandate. AT&T believes that all communications service providers can play vital roles in the distribution of critical emergency information and that the proliferation of digital technologies, including Internet Protocol ("IP") networks, services, and devices, provides greater opportunities for the dissemination and display of such information. AT&T thus applauds the Commission's efforts to update its EAS rules and requirements in light of new digital communications technologies.

As the Commission is aware, as part of its Project Lightspeed deployment, AT&T has begun providing IP video service in San Antonio, Texas, and, by the middle of this year, will begin to ramp up its deployment of IP video service in other communities.[3] As a provider of IP

[1] On November 18, 2005, SBC Communications Inc. closed on its merger with AT&T Corp. The resulting company is now known as AT&T Inc. Thus, in these comments "AT&T" refers to the merged company, including its ILEC operating subsidiaries.

[2] Review of the Emergency Alert System, *First Report and Order and Further Notice of Proposed Rulemaking*, EB Docket No. 04-296, 20 FCC Rcd. 18,625 (Nov. 10, 2005)("Further Notice").

[3] *See* Letter from James C. Smith, Senior Vice President, AT&T Services, Inc. to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 04-36 (Jan. 12, 2006)("AT&T Ex Parte").

video, as well as other IP services, such as high-speed Internet access, AT&T has a unique interest in any actions the Commission may take with respect to modifying its EAS rules to apply to IP services. While AT&T endorses participation in the EAS by new digital communications service providers, including IP video service providers, AT&T cautions the Commission against merely layering its current rules onto such technologies, particularly given the Commission's objective of developing a more comprehensive system for the distribution of emergency alert information. The Commission should ensure that its rules—and perhaps just as important, the absence of rules—allow service providers sufficient freedom to harness the power of digital and IP communications technologies and to innovate in the distribution and display of emergency alert information.

I. AT&T'S IP VIDEO SERVICE WILL TRANSMIT EAS INFORMATION TO SUBSCRIBERS

In the *Further Notice*, the Commission notes that "traditional telephone companies" have announced plans to bring "high definition digital content to customers' homes through fiber optic connections," and it thus specifically inquires whether "telephone companies should have public alert and warning responsibilities similar to those of the other news and entertainment providers covered in this docket?"[4] Whether or not the Commission mandates it, as a provider of IP video services, AT&T will participate in the EAS.

A. Project Lightspeed and AT&T's IP Video Service

AT&T has embarked on an ambitious plan, called Project Lightspeed, to invest nearly $5 billion over the next several years to upgrade its wireline distribution network. In particular, AT&T is deploying more fiber optic cable and electronic infrastructure to increase the amount of available bandwidth to residential subscribers. Project Lightspeed involves enhancements in

[4] *Id.* ¶ 70.

both the outside plant portion of AT&T's network and in central offices. In the outside plant, some of the enhancements will consist of deploying additional fiber facilities and electronics. The remainder of the Project Lightspeed upgrade will involve the installation of servers, routers and software both in AT&T's facilities and customers' premises.

Project Lightspeed will make available substantially more bandwidth to AT&T's subscribers. In many instances, AT&T will leverage currently deployed fiber optic cable that is already in place from prior initiatives, such as Project Pronto. The end result is that by reducing the copper portion of AT&T's outside plant network and leveraging advancements in DSL technology, AT&T can provide more bandwidth, upwards of 20-25 Mbps, to residential subscribers. As Project Lightspeed facilities are deployed, AT&T will use this increased bandwidth to offer subscribers a suite of IP-based services, including high-speed Internet access, IP video service and, ultimately, voice over Internet protocol ("VoIP").

The manner in which video services are transmitted to subscribers over Project Lightspeed differs significantly from traditional cable networks. For example, Project Lightspeed uses a client-server, switched, point-to-point architecture, which is quite different from the point-to-multipoint, broadcast-like transmissions of traditional cable networks. Cable systems transmit all channels to all subscribers simultaneously, and permit interaction only between the subscriber and the set-top box, rather than with the network. In contrast, the switched service used for Project Lightspeed requires regular communications and interaction with the network itself, and ensures that nothing is sent to the subscriber unless and until he or she communicates directly with the network by sending a request for specific programming—at which point the network instantly transmits only the requested material to that subscriber. In other words, the network is designed to send programming to the customer in much the same way the Internet does: information flows to the customer only once he or she has selected it.

AT&T's IP video service itself is highly interactive. Such interactivity goes well beyond the selection of specific channel streams or programming. IP video services include features that permit the user to create an individualized, customized viewing experience. And the subscriber will be able to combine programming with other features, including online content, different frames, different simultaneous program streams, and the voice and data services that will typically be provided in conjunction with IP video. In short, AT&T's Project Lightspeed, and its provision of IP video service, will harness the full power of IP communications technology.

B. AT&T Will Participate in the EAS

Title VI and the Commission's rules currently do not require wireline video service providers other than cable operators to participate in the EAS.[5] As AT&T has informed the Commission,[6] Project Lightspeed is not a "cable system" and AT&T's IP video service is not a "cable service" under Title VI of the Act. Nonetheless, because of the critical role the EAS plays in providing vital public safety information, AT&T will participate in the EAS.

For local broadcast feeds, AT&T will provide emergency alerts in the same manner that satellite providers currently provide emergency alerts, *i.e.*, AT&T will "pass through" all EAS

[5] *See* 47 USC sec 544(g)("…each cable operator shall comply with such standards as the Commission shall prescribe to ensure that viewers of video programming on cable systems are afforded the same emergency information as is afforded by the emergency broadcasting system pursuant to Commission regulations in subpart G of part 73, title 47, Code of Federal Regulations."); 47 C.F.R. § 11.11 ("The rules in this part describe the required technical standards and operational procedures of the EAS for AM, FM, and TV broadcast stations, cable systems, and other participating entities." *See also* Review of the Emergency Alert System, *Notice of Proposed Rulemaking*, EB Docket No. 04-296, FCC 04-189 ¶ 12, 19 FCC Rcd. 15,775, 15,779 (FCC "rules mandate EAS obligations only for analog radio and television stations, and wired and wireless cable television systems. Other systems, including, for example, low earth orbit satellite systems, paging, direct broadcast satellite (DBS), digital television (DTV), satellite Digital Audio Radio service (satellite DARS), and In-Band-On-channel Digital Audio Broadcasting (IBOC DAB) currently have no EAS requirements.") The Commission's November 10, 2005, *First Report and Order* broadened the reach of mandatory participation in the EAS to include digital television broadcasters, digital cable systems, digital audio broadcasters, satellite digital audio service, and DBS providers. *See Further Notice* ¶¶ 21, 30, 36, 43, 53.

[6] *See AT&T Ex Parte; see also* Letter from James C. Smith, Senior Vice President, SBC to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 04-36 (Sept. 14, 2005).

alerts (local as well as national) provided by local broadcast channel feeds. AT&T also will pass through national alerts transmitted by national cable services. For broadcast programming, this represents the most efficient and appropriate means of distributing emergency alerts to AT&T's subscribers. Local and national broadcasters often provide much more robust and targeted information than the information contained in standard EAS alerts. In addition to traditional audio and visual news and weather broadcasts, local stations often include additional emergency information, such as "information crawls" and visual data around the borders of a television broadcast. Layering EAS alerts on top of local broadcast feeds would likely obscure or interfere with some or all of the information provided by broadcasters.[7] Accordingly, passing through local broadcast information represents the best solution for distributing emergency alert information for local broadcast feeds.

In addition, AT&T is developing an IPTV-specific EAS solution for non-broadcast channels. AT&T has developed a set of EAS solution requirements and is in the process of evaluating EAS equipment providers to determine which is best suited to develop an IP-based EAS solution. AT&T also is in the process of working with its middleware provider to define the interface between EAS equipment and the IPTV middleware. Although it is still in development, AT&T's IPTV EAS solution will "force tune" customer set top equipment to an EAS details channel in order to display national Presidential Alerts. State and local alerts and weekly and monthly tests will be done by an EAS notification, the nature and content of which will vary depending on the channel or programming being interrupted and the nature of the alert. AT&T's IPTV EAS solution will fully comport with the requirements of the Commission's EAS rules.

[7] The Commission has recognized the value of local broadcast emergency alert information in allowing local EAS alerts to be overridden by local broadcast signals transmitting emergency related information, such as weather reports. *See* 47 C.F.R. § 11.51(h)(4).

IP video is still a nascent technology, however, and technical challenges remain in implementing EAS over this technology. In particular, only a limited set of current EAS system receivers provide alert information in an IP format. In addition, AT&T's IP video vendors have not yet developed the proxy server capability to route EAS messages to the appropriate end users. As a result of these and other technical challenges, AT&T does not anticipate having the capability to deploy its EAS solution until the end of 2007. Accordingly, AT&T requests that, if the Commission determines to require non-cable operator IP video service providers to participate in the EAS, it should allow such providers sufficient time to implement EAS solutions. Specifically, AT&T requests that the Commission establish no deadlines earlier than December 31, 2007. AT&T also requests that the Commission refrain from adopting rules that unduly restrict the manner in which IP service providers distribute and display emergency information. More and more of the information consumers receive today is distributed in digital and IP formats over IP networks, which, as the Commission notes, "have the potential to deliver a wholly new level of alert and warning capabilities, far beyond the capabilities of today's EAS."[8] In order to fulfill such potential, the Commission should refrain from adopting regulations that hinder IP service providers from innovating in the distribution or display of emergency alert information.[9]

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[8] *Further Notice* ¶ 64.

[9] AT&T also supports industry adoption of a common messaging protocol, such as the Common Alerting Protocol ("CAP"). AT&T supports adoption of the CAP for a digitally-based emergency information distribution system. Adoption of a standards-based protocol such as CAP would help ensure rapid deployment of digital emergency information distribution systems by promoting standardization and interoperability among hardware and software vendors. It also could allow emergency information to be received on multiple devices across a variety of platforms, by ensuring that all such devices are able to understand emergency information messages. Common protocols also could allow service providers to develop software alert applications so that alerts could be issued in a "full alert" template and an optional "abbreviated alert" template specifically designed for cell phones, PDAs, and similar devices with smaller viewing areas.

II. COORDINATION WITH STATE AND LOCAL GOVERNMENTS

The Commission inquires whether it should amend its rules to require EAS participants to transmit EAS messages issued by state governors.[10] Under the Commission's current EAS rules, participation in the public warning system "at the state and local levels, while encouraged, is merely voluntary."[11] AT&T, however, has no objection to such a requirement, provided that all states use the same alert protocols that are used for national EAS alerts. AT&T also supports adoption of an additional "originator code" for state-issued EAS alerts. Providing such additional information as to the source of alerts will help ensure a more robust and efficient emergency alert distribution systems.

The Commission also inquires how it "can best work with the states to help implement the EAS rules . . . as well as to develop the next generation of alert and warning systems."[12] Given the fast-paced evolution of digital communications technologies, AT&T recommends that the Commission engage the states and the communications industry in periodic reviews of the Commission's EAS rules. Such reviews will best ensure that that Commission's EAS rules continue to provide for the most efficient and prompt distribution of critical emergency alert information. AT&T also supports the Commission's suggestion that states notify the Commission within 30 days of any changes to Local Area and EAS designations, and that states provide a yearly confirmation that that all EAS Local Area and EAS designations remain the same. Such a requirement will ensure that participants in the EAS receive timely notice of changes to Local Area and EAS designations.

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[10] *Further Notice* ¶ 73.

[11] Review of the Emergency Alert System, *Notice of Proposed Rulemaking*, EB Docket No. 04-296, 19 FCC Rcd. 15,775 ¶ 3.

[12] *Further Notice* ¶ 73.

CONCLUSION

AT&T supports the Commission's review of its EAS rules, particularly in light of new digital communications technologies. As a provider of IP video service, AT&T will participate in the EAS. The Commission, however, should allow AT&T and other IP video service providers sufficient time to develop IP-specific solutions for participation in the EAS. The Commission also should ensure that its rules allow IP video service providers freedom to innovate in the distribution and display of emergency alert information. Such innovation will best fulfill the Commission's commitment to an accurate and wide-ranging public alert and warning system.

Respectfully Submitted,

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